



Constitution (2022)



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## Glossary of Terms and Abbreviations

Below is a list of terms and abbreviations used throughout this document:

Term	Description	Abbreviation
Softball Connacht Munster	Regional Committee for the sport of softball in the province of Connacht & Munster	SCM
Softball Galway	Regional committee for the sport of softball in Galway	SG
Softball Ireland	National Governing Body for the sport of softball on the island of Ireland	SI
Volunteer	Any representative of Softball Galway e.g. Committee member, team representative, umpire etc.	-
Under 18	Any player under the age of 18 years	U18



## 1 AIMS AND OBJECTIVES

- 1.1 Softball Galway (“SG”) is the governing body for the sport of softball in Galway and is affiliated to Connacht Munster Soft (“SCM”), Softball Ireland (“SI”) the governing body of softball in Ireland.
- 1.2 SG is a non-profit organisation whose purposes are:
  - 1.2.1 Representation, promotion and development of softball within Galway as an amateur sport for all who wish to participate within the terms of this constitution.
  - 1.2.2 Provision of support, direction and facilities for members and affiliated clubs.
  - 1.2.3 Liaison and maintenance of links with SI, SCM and corresponding organisations in other countries and with international bodies.
  - 1.2.4 Management of SG representation in Irish & UK competitions, promoting inter-provincial and club competitions, tournaments and matches.
  - 1.2.5 Development of appropriate sponsorship and other revenues to support this purpose.

## 2 MEMBERSHIP

- 2.1 Membership of SG is open to anyone whom signifies their acceptance of the terms of this constitution by paying the required annual subscription through registration with an affiliated team or club.
- 2.2 The required subscription will be determined annually by the SG Committee and will include appropriate insurance.
  - 2.2.1 Members are required to abide by all rules, regulations and bylaws referred to in this constitution.
  - 2.2.2 Any club or team affiliated to SG may allow members under the age of 18 at their discretion but this must be done in consultation with SG.
- 2.3 The membership shall consist of the following categories:
  - 2.3.1 New Member; Any person who has been playing for less than 1 season.
  - 2.3.2 Member; Any person who has been playing for 1 season or more.
  - 2.3.3 Committee Member; A member elected to the committee.
  - 2.3.4 Juvenile Player Member; Any person under the age of 18 at the start of the season.
  - 2.3.5 Non-Player Member; A member who supports the team but does not participate in competitive games

## 3 GENERAL MEETINGS

- 3.1 An Annual General Meeting (AGM) will be held in each calendar year.
- 3.2 The AGM will be held before 30 November or prior to the SI AGM, whichever comes earlier.
- 3.3 The business of the AGM is (see Appendix 3 for example agenda):
  - 3.3.1 Adoption of the agenda.
  - 3.3.2 Minutes of the last General Meeting and matters arising.



- 3.3.3 Report of the Chairperson (to include reports from the Competitions Officer and PRO).
- 3.3.4 Audited accounts and report of Treasurer.
- 3.3.5 Motions and amendments of which notice has been received.
- 3.3.6 Election of Committee members.
- 3.3.7 Election of representative to SI Board.
- 3.3.8 Appointment of auditors (who may be professional auditors, or two ordinary members of SG) for the coming year.
- 3.3.9 Items covered under AOB can be discussed at the end of the AGM.
- 3.4 Any member may propose a motion/amendment and may nominate/second any member for election.
- 3.5 The following timescale will apply (reckoned from the date of the AGM):
  - 3.5.1 The date, time and location of the meeting will be notified by the Secretary to membership 14 days in advance.
  - 3.5.2 Motions for the agenda must be received in writing by the Secretary 14 days in advance of the date of the AGM.
  - 3.5.3 Written nominations for election of committee members must be made and seconded at least 14 days in advance of the date of the AGM.
  - 3.5.4 A draft agenda containing all motions and nominations will be circulated to the membership one week in advance.
  - 3.5.5 The Treasurer's report and accounts will be circulated to the membership one week in advance.
  - 3.5.6 In the event that there are no nominations for Chairperson, Secretary, Treasurer, Competitions Officer, Media Officer or Chief Umpire by the due date, the Secretary will immediately inform the membership by email, and the deadline will be extended by one week.
- 3.6 An Extraordinary General Meeting for a specified purpose will be held within three weeks of a written request by any one the membership.
- 3.7 Any member may attend and may speak at a General Meeting.
- 3.8 In voting on motions each member in attendance will have a single vote at the meeting.
- 3.9 The quorum for a valid General Meeting is the presence of at least one fifth of the membership.

## 4 OFFICERS

- 4.1 The duties of the **Chairperson** are (but not limited):
  - 4.1.1 To convene all Meetings and General Meetings.
  - 4.1.2 To convene a meeting of the Committee within two weeks of any request from any Committee member.
  - 4.1.3 To ensure that all the Committee business is efficiently and fairly conducted in accordance with this constitution.
  - 4.1.4 To report to the AGM on the activities of the Committee.
  - 4.1.5 To aid the Committee in their duties.
  - 4.1.6 To undertake the Chairpersons duties when unavailable.



- 4.1.7 To temporarily undertake the role of any member of the Committee in their absence. Roles, partial or full may be delegated to other board members but are the responsibility of the Chairperson.
- 4.1.8 To promote and co-ordinate the development and strategic direction of softball in the region of Galway.
- 4.2 The duties of the **Secretary** are (but not limited):
  - 4.2.1 To ensure that correct records are kept of the business of SG.
  - 4.2.2 To prepare the agenda for all Meetings.
  - 4.2.3 To ensure that correct minutes are kept of the Committee and General Meetings.
  - 4.2.4 To provide copies of such minutes on request of any member.
  - 4.2.5 To ensure members are kept informed of the Committee's activities via email.
  - 4.2.6 To conduct appropriate correspondence with other bodies.
- 4.3 The duties of the **Treasurer** are (but not limited):
  - 4.3.1 To ensure that a record is kept of the paid-up membership.
  - 4.3.2 To control SG's funds in prudent manner in accordance with decisions of the Committee.
  - 4.3.3 To ensure the proper maintenance of SG's bank account.
  - 4.3.4 To ensure the recording of transactions in sufficient detail to enable an audit.
  - 4.3.5 To provide any records or information as required by the appointed auditors.
  - 4.3.6 To supply the membership with a financial report together with balance sheet, and income and expenditure accounts at least one week in advance of the AGM.
  - 4.3.7 To reimburse from SG funds any reasonable expenses of members in the conduct of Committee business.
- 4.4 The duties of the **Competitions Officer** are (but not limited):
  - 4.4.1 To ensure organisation of the league fixtures prior to commencement of the SG regular league.
  - 4.4.2 To ensure all postponed fixtures are rescheduled in accordance with the SG Bylaws.
  - 4.4.3 To ensure organisation of all aspects of SG branded tournaments throughout the SG season.
  - 4.4.4 To directly liaise with all SG teams who wish to organise tournaments in the Galway region.
  - 4.4.5 To provide an updated league table on a weekly basis to the Committee so this can be published to the SG website and social media platforms.
- 4.5 The duties of the **Media Officer** are (but not limited):
  - 5.6.1 To manage and update the SG website on a weekly basis during the regular season.
  - 5.6.2 To manage and update SG social media platforms on a weekly basis during the regular season.
  - 5.6.3 To ensure members are kept informed of the committee's activities via the website and social media platforms.
  - 5.6.4 To promote SG positively using all media platforms (e.g. internet, magazine, social media etc.).
- 4.6 The duties of a **Trustee** are (but not limited):
  - 4.6.1 To provide oversight on spending and provide access to funds when required



- 4.6.2 Maintain a position as a signatory on the SG bank account
- 4.6.3 Ensure the elected committee is following the constitution and if necessary, call an EGM to remove members not following the constitution.
- 4.6.4 Initial trustees are elected by the founding members
- 4.6.5 Trustees are elected by trustees by a majority vote
- 4.6.6 Trustees are not voting members of the committee and do not attend board meetings
- 4.6.7 Trustees may withhold bank fund if spending would breach the constitution.
- 4.7 Authority for cheques or withdrawals from the SG funds requires the signature of two trustees who are signatures to the SG bank account.
- 4.8 All committee members shall strive to protect the best interests of SG.
- 4.9 A committee member is elected for a maximum of two years, after which time the committee member must be re-elected in order to remain on the committee. They may be re-elected into the same or a different position. No maximum term is defined for serving on the committee.
- 4.10 The Association's accounting year ends on 30th September each year.

## **5 REGULATION OF THE GAME**

- 5.1 SI will publish rules of play and bylaws for SG on competitions and other matters.
- 5.2 SG shall impose appropriate penalties for breach of or flagrant disregard of the rules and bylaws.
- 5.3 Penalties for individuals can include reprimand, fine, suspension or permanent expulsion from SG
- 5.4 Penalties for teams can include reprimand, fine, suspension, overturning of results, loss of points, or demotion.
- 5.5 A scale of penalties will be incorporated in the bylaws.
- 5.6 The bylaws of SI will govern all appeals and Protest.
- 5.7 No member of SG committee directly involved in an incident for which penalties are being considered will take part in the appeal process.

## **6 DRUGS IN SOFTBALL**

- 6.1 SG and its members are bound by the Anti-Doping Program and relevant regulations of the International Olympic committee and international governing bodies for softball.

## **7 EQUALITY IN SOFTBALL**

- 7.1 SG and its members agree to follow the equality statement in Appendix 1.

## **8 CHILD PROTECTION**

- 8.1 SG and its members agree to follow the child protection policy outlined in Appendix 2.



## 9 SPONSORSHIP

- 9.1 SG may not pursue or receive sponsorship from any tobacco companies. Nor can they use branding, logos or trademarked items or decals representing aforementioned companies in the case where funding is received through vendors of said products.

## 10 INTERPRETATION AND AMENDMENT

- 10.1 Interpretation of this constitution will be determined by the trustees, which will seek affirmation of its review at the next General Meeting.
- 10.2 If a General Meeting overturns an interpretation by the committee, this shall not affect the legitimacy of any committee actions taken in the interim.
- 10.3 Amendments to this constitution are made by the passing at a General Meeting of a motion of which due notice has been given.

## 11 Standard Clauses - Unincorporated Body

### 11.1 Income and Property

- 11.1.1 The income and property of the Club shall be applied solely towards the promotion of the main object(s) as set forth in this Constitution. No portion of the Club's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to members of the Club.

No officer shall be appointed to any office of the Club paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the Club.

However, nothing shall prevent any payment in good faith by the Club of:

- 11.1.2 reasonable and proper remuneration to any member or servant of the Club (not being an officer) for any services rendered to the Club;
- 11.1.3 interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by an officer or other members of the Club to the Club;
- 11.1.4 reasonable and proper rent for premises demised and let by any member of the Club (including any officer) to the Club;
- 11.1.5 reasonable and proper out-of-pocket expenses incurred by any officer in connection with their attendance to any matter affecting the Club;
- 11.1.6 fees, remuneration or other benefit in money or money's worth to any Company of which an officer may be a member holding not more than one hundredth part of the issued capital of such Company;
- 11.2 Winding Up



11.2.1 If upon the winding up or dissolution of the Club there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the Club. Instead, such property shall be given or transferred to some other institution or institutions having main objects similar to the main objects of the Club. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Club under or by virtue of the Income and Property clause hereof. Members of the Club shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object. Final accounts will be prepared and submitted that will include a section that identifies and values any assets transferred along with the details of the recipients and the terms of the transfer.

### 11.3 Additions, alterations or amendments

11.3.1 No addition, alteration or amendment shall be made to the provisions of the main object clause, the income and property clause, the winding up clause, the keeping of accounts clause or this clause of the Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

### 11.4 Keeping of Accounts.

11.4.1 Annual Accounts shall be kept and made available to the Revenue Commissioners on request. Where the gross annual income exceeds €250,000 the accounts will be audited.



#### **11.4.1.1 APPENDIX 1: EQUALITY POLICY**

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SG is committed to the principle of equality of opportunity and aims to ensure that all present and potential participants, members, coaches, competitors, officials and volunteers are treated fairly and on an equal basis, irrespective of their gender, age, disability, ethnic origin, race, religion, belief system, social status or sexual orientation.

SG aims to make its services and training schemes accessible to all and may take special measures to ensure that certain groups are not unfairly disadvantaged, provided that such action is within their ability and does not adversely affect the standard, quality and integrity of its plans.

SG reserves the right to take the appropriate action to discipline any of its members who practise any form of discrimination in breach of this policy.



#### **11.4.1.2 APPENDIX 2: CHILD PROTECTION POLICY**

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As defined in the Children's (NI) order 1995, Children First: National Guidance for the Protection and Welfare of Children 2017 & The Children First Act 2015, for the purposes of this policy anyone under the age of 18 should be considered as a child. The policy also applies to vulnerable adults.

It is the policy of Softball Galway to safeguard children and young people taking part in softball events from physical, sexual or emotional harm. Softball Galway recognises that the safety and welfare of the child is paramount and that all children, whatever their age, gender, disability, culture, ethnic origin, colour, religion or belief, social status or sexual identity, have a right to protection from abuse.

Softball Galway will work on clear guidelines for working with young people alongside their development plans for youth softball. This is not part of the current strategic plan as we are working on building up our volunteer database prior to expansion to youth areas. All softball clubs wishing to include under 18's or vulnerable adults as members must apply for written consent by Softball Galway. At this time if not already in place Softball Galway will put into place strict guidelines and procedures for working with young people.



## **APPENDIX 3: DRAFT AGM AGENDA**

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### **Softball Galway Annual General Meeting 20XX**

#### **Meeting Information**

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Date: TBC  
Time: TBC  
Location: TBC

#### **Agenda**

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1. Apologies
2. Minutes of 20XX AGM and matters arising (Secretary)
3. Audited accounts and Treasurer's report (Treasurer)
  - 3.1. Accounts
  - 3.2. Treasurer's report
  - 3.3. Membership fees for 20XX+1
4. Chief Umpire's report (Chief Umpire)
5. Chairperson's report (to include reports from Competitions and Media Officers) (Chairperson)
6. Motions and amendments (Secretary)
  - 6.1. Bylaws
  - 6.2. Constitution
7. Elections
  - 7.1. Consider Nominations for Chair
  - 7.2. Consider Nominations for Secretary
  - 7.3. Consider Nominations for Treasurer
  - 7.4. Consider Nominations for Competitions Officer
  - 7.5. Consider Nominations for Media Officer
  - 7.6. Consider Nominations for Chief Umpire
8. Appointments
  - 8.1. Consider Nominations for Representative to Softball Ireland
  - 8.2. Consider Nominations for Representatives to Softball Ireland AGM
  - 8.3. Consider Nominations for Auditors for 20XX+1 season
9. Complaints
10. A.O.B.
11. Date of next meeting